

Village of Irvington
Zoning Board of Appeals

Minutes of Meeting held December 17, 2002

A meeting of the Zoning Board of Appeals of the Village of Irvington was held at 8:00 P.M., Tuesday, December 17, 2002, in the Trustees' Meeting Room, Town Hall, Irvington, N.Y.

The following members of the Board were present:

Louis C. Lustenberger, Chairman
Bruce E. Clark
Robert C. Myers
George Rowe, Jr.

Mr. Lustenberger acted as Chairman and Mr. Rowe as Secretary of the meeting.

There were two matters on the agenda:

- 2002-35 Leslie & Laurence Goldfarb - 120 Sycamore Lane
 (Sheet 10; Block 257; Lot 3)
- 2002-36 Westwood Development Associates - Lot #4 in
 Westwood Development Project (Sheet 10; Lot
 P5J2-4)

Goldfarb

Mr. **and** Mrs. Goldfarb appeared as well as their architect Paul Shainberg, Putnam Avenue, Greenwich, Connecticut.

The application seeks variances to permit the construction of an open deck in the rear of the house, which, even after giving effect to the removal of an existing deck, would result in an invasion of the rear-yard set-back provisions of the Code and a violation of the limitations on coverage. The Goldfarbs had appeared previously seeking similar variances, had been refused, and had returned with a considerably reduced deck and consequently a considerable reduction in the size of the variances requested. The footprint of the house, before the addition of the deck, itself invades the set-back provisions of the Code, and exceeds the limitation on area coverage.

The Board noted that the Goldfarbs had rigorously sought to reduce the size of the incursion, that the deck was an open deck, not an extension of the house proper, that the additional incursion and increase in coverage were very modest, that the deck was screened from the Goldfarbs'

neighbors and that no neighbor had objected and some had affirmatively favored the variances.

The Board, after taking into account the factors that it is obliged to take into account under the Code, concluded that the benefit to the Goldfarbs readily outweighed any detriment to the health, safety and welfare of the neighborhood or the community. In addition to the factors noted above, the Board noted that decks of the type sought by the Goldfarbs were common in the neighborhood.

Upon motion duly made and seconded, the variances requested by the Goldfarbs were unanimously granted.

Westwood

This is a request, presented by Padriac R. Steinschneider, a principal of Gotham Design Limited, Dobbs Ferry, to permit a footprint of 3,839 square feet, against a Code limitation of 3,283 square feet, in an IF-20 lot, being one of a number of IF-20 lots in the so-called Westwood development, east of Main Street and south of the Irvington High School properties. The proposed house is for Bard and Mary Louise Bunaes.

Mr. Steinschneider presented drawings of the proposed house including a site plan, floor plans, a roof plan, as well as elevations. The need for the variance was

explained by Mr. Steinschneider as occasioned by the desire of Mr. and Mrs. Bunaes to keep the profile of the house low and to permit the master bedroom to be on the first floor of the house.

There was an extensive discussion of the need for the variance, the precedential effect thereof if granted, and the undesirability of departing from the ground rules set by the Planning Board, all in the context of the factors prescribed by the Code for the Board to consider.

The Board unanimously decided, Chairman Lustenberger having recused himself, that there was not an adequate showing to justify the variance, and it was denied.

There being no further business to come before the meeting, it was, upon motion duly made and seconded, unanimously adjourned.



George Rowe, Jr.